



PLANNING COMMISSION
Meeting Notes of June 16, 2021

Commissioners present: Gary Walvatne, Charles Mathews, Lamont King, Scott Erwin, John Carr, and Carrie Pellett
Commissioners absent: Joel Metlen
Council Liaison present: none
Staff present: Darren Wyss, Planning Manager, Betty Avila, Associate Planner, John Floyd, Associate Planner, City Attorney Tim Ramis, Public Works Director Lance Calvert, and Lynn Schroder, Administrative Assistant

Pre-meeting Work Session (6:00)

Commissioners discussed the order of the agenda. Staff discussed the method to receive challenges to the Planning Commission during the virtual hearings. It was determined the public could use their hand raise function to raise challenges during the hearings.

Regular Meeting

1. Call to Order and Roll Call

Chair Walvatne called the regular meeting to order at 6:41 pm. The meeting started late due to technical issues.

2. Public Comment Related To Land Use Items Not On the Agenda

None.

3. Approval of Meeting Notes: [4/21/21](#)

Commissioner King noted that the minutes erroneously reflected that he attended the 4/21/21 Planning Commission meeting. Chair Walvatne requested a minor edit. Commissioner Carr moved to approve the 4/21/21 Planning Commission meeting notes, as amended. Commissioner Pellett seconded. **Ayes: King, Mathews, Pellett, Erwin, Carr, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

4. Public Hearing: [PLN-21-01, Willamette Falls Drive 2021 Conceptual Design Plan](#)

Chair Walvatne opened the legislative hearing for PLN-21-02, Willamette Falls 2021 Conceptual Design Plan. The purpose of the legislative hearing is to recommend make a recommendation to the City Council on adopting of the proposed Conceptual Design Plan as Attachment B to the 2016 West Linn Transportation System Plan (TSP) and associated text amendments to the TSP found in Land Use File PLN-21-01. The Planning Commission previously discussed the Concept Plan at work sessions in April and May 2021.

City Attorney Ramis addressed the legal standards and appeal rights. Ramis addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. There were no objections to the Commissioners' jurisdiction or impartiality on the design plan.

Planning Manager Wyss presented the staff report. Wyss noted that the City's consultants, Nick Polenske and Marc Butorac of Kittelson & Associates, were present to answer any questions about the proposed plan.

Commissioners asked questions about the proposed conceptual design plan.

Commissioner Pellett asked for a timeline and project list to construct the current projects related to the concept plan. Public Director Calvert provided details on the I205 Pedestrian Bridge, the I205 Widening, the I205 Abernathy Bridge, and the 10th Street Improvement projects.

Commissioner Mathews expressed concern about the lack of specificity regarding the potential right-of-way impacts and proposed designs for intersections. He asked about the role of the Planning Commission in the implementation of the Concept Plan. Wyss replied that the conceptual plan is a long-term vision of the road corridor. Specific project design and implementation would be reviewed and coordinated by staff. Calvert noted the concept plan is intended to show the scale of additional right-of-way needed. He noted that the Planning Commission would review private developments that require a quasi-judicial land use decision. City-funded projects would be reviewed by the Local Contract Review Board, the Transportation Advisory Committee, and the City Council.

Commissioner King asked how private property owners could be required to pay fees-in-lieu and dedicate right-of-way. City Attorney Ramis recommended that a summary in the concept plan on state statute on funding mechanisms for street improvements for public versus private development be included in the concept plan.

Chair Walvatne noted his concern about public input on the concept plan. He wanted to know how affected property owners would know to comment on the concept plan. He wanted more open houses and public input before the concept plan is finalized.

Chair Walvatne opened public testimony on PLN-21-01.

Janet Zorbrist testified about her concern about losing property to proposed improvements. She also requested noise abatement.

Karen Jane Eisenhauer asked if driveway repavement would require the sidewalk improvements identified in the plan.

Rick Cozzi testified that the concept plan should provide for more trees along the alignment. He requested that the City conduct a condition assessment of subsurface infrastructure during the design process to ensure that any new construction would not need to be torn up to replace failing subsurface utilities.

Wendi Butler supported the concept plan. She testified about the section on WFD between 9th Street and 6th Street. To improve walkability, she asked that the concept plan be amended to design this section of WFD as a preferred walking route to align with the bike route and that sidewalks are constructed in this section. She requested that the concept plan include mobility, safety, and signage improvements on Upper WFD from 9th to 6th. She asked that a walking route be signed to make it clear how Section B and C connect.

Christen White testified on behalf of the Belgravia Development in support of the concept plan and the new alignment of Sunset Avenue. She testified that the City has worked with the owners to develop an alignment that is critically important to future development plans for the property. She requested that the

City begin a planning project for the area to facilitate the development of a viable mixed-use residential center on the waterfront, support community safe and convenient access to the riverfront, create an area for people to visit, live, and eat along the riverfront, and revive Historic City Hall.

John McCabe testified that crosswalk safety needs to be improved. He supported maintaining the walkway under Fields Bridge. He expressed safety concerns about the proposed roundabout near Fields Bridge. He was concerned about the roundabout's impact on Bald Eagle roosting areas. He requested that the roundabout be removed from the concept plan.

Chair Walvatne closed the public hearing on PLN-21-01 and Commissioners deliberated.

Chair Walvatne expressed concerns about the proposed roundabouts and the loss of significant trees along the alignment. He was concerned about the proposed cul-du-sac where WFD intersects with Highway 43. He did not like the alignment; however, he requested that the concept plan prioritize bike and pedestrian safety improvements.

Commissioner Pellett expressed concern about subsurface infrastructure and environmental impacts. She supported the concept plan.

Commissioner Erwin related his positive experience with roundabouts in Europe. He stated that the roundabouts slow down traffic.

Commissioner Mathews supported the concept plan with an additional explanation of state funding requirements.

Commissioner King did not support the concept plan because too much was unknown about the design and funding.

Commissioner Carr supported the concept plan with an additional explanation of state funding requirements. He requested that the concerns of those who testified would be addressed during the design phase.

Commissioner Mathews moved to recommend City Council approves PLN-21-01 by adopting Ordinance 1726 with the following amendments

- Private developers of parcels on WFD not be charged development fees and
- The budget reflects increased priority funding bike and pedestrian safety projects on WFD.

Commissioner Carr seconded. **Ayes: Mathews, Pellett, Erwin, Carr, and Walvatne. Nays: King.**

Abstentions: None. The motion passed 5-1-0.

Chair Walvatne moved to add a recommendation to the City Council that the Section of WFD from 9th and 6th be investigated further. Commissioner Mathews seconded. **Ayes: Mathews, Pellett, Erwin, Carr, King, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

The Planning Commission recessed for 10 minutes.

5. Public Hearing: [VAR-21-04, a Class 2 variance to construct a pool at 2182 Tannler](#)

Chair Walvatne opened the quasi-judicial hearing for VAR-21-04, a Class II variance to allow a swimming pool to be located within the rear and side-yard setbacks of 2182 Tannler Drive.

City Attorney Ramis addressed the legal standards and appeal rights. Ramis addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. Commissioner Carr noted he lives in the area and walks his dog by the property. Commissioner Mathews noted that he has driven by the property. There were no objections to the Commissioners' jurisdiction or impartiality on the design plan.

Associate Planner Floyd presented the staff report.

Commissioner King asked the reason for setbacks. He asked if the unique circumstances of the property were present when the applicant purchased the property. Floyd confirmed that the circumstances were present when the applicant purchased the property.

Applicant Katie Spurlock and her consultant, Ritchie Cameron presented the application. The applicant requested to reduce the eastern side yard setback from 7.5 feet to 3 feet and the rear setback 20 feet to 9.5 feet. The irregular shape of the lot is the basis for the request.

Chair Walvatne opened public testimony.

Aubrey Moody, an adjacent property owner, testified in support of the application.

Derek Johnson, an area resident, supported the application.

Kevin White, an area resident, supported the application.

Rajkumar Ilanchelian, an adjacent property owner, supported the application.

Chair Walvatne closed the public hearing on VAR-21-04 and Commissioners deliberated.

Commissioner Carr moved to approve VAR-21-04 as presented. Commissioner Mathews seconded. **Ayes: Mathews, Pellett, Erwin, Carr, King, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

6. Public Hearing: [MISC-21-06, a temporary sales office at 23190 Bland Circle](#)

Chair Walvatne opened the quasi-judicial hearing for MISC-21-06, a Temporary Use Permit, and one year extension for a sales office for new homes on Lot 24 of the West Linn Meadows Subdivision for new home sales.

City Attorney Ramis addressed the legal standards and appeal rights. Ramis addressed Planning Commission conflicts of interest, ex parte contacts, and challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. Commissioner Carr disclosed that the applicant, JJ Portlock, is his neighbor. He noted that he walks his dog by the property. There were no objections to the Commissioners' jurisdiction or impartiality on the design plan.

Planning Manager Wyss presented the staff report.

The applicant JJ Portlock presented the application.

Chair Walvatne opened public testimony. No members of the public testified.

Chair Walvatne closed the public hearing for MISC-21-06 and Commissioners deliberated.

Commissioner Mathews moved to approve MISC-21-06 as presented. Commissioner King seconded. **Ayes: Mathews, Pellett, Erwin, Carr, King, and Walvatne. Nays: None. Abstentions: None. The motion passed 6-0-0.**

7. Items of Interest From The Planning Commission

None.

8. Items of Interest From Staff

Planning Manager Wyss reminded Commissioners about the joint City Council and Planning Commission work session on June 21, 2021 at 6:00 pm.

Wyss announced that the Planning Commission will consider CUP-21-02, the proposed Athey Creek Middle School at 945 Dollar Street at the July 7, 2021 Planning Commission meeting. He noted that the complete application is over 1300 pages, so staff proposes to provide paper copies of the staff findings and electronic links to the supporting materials. Commissioner Mathews requested a complete printed application.

9. Adjourn

Chair Walvatne adjourned the meeting at approximately 10:15 pm.